

EXHIBIT O

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF RAFAEL GUDMUCH

I, Rafael Gudmuch, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was an employee working at the Marriott World Trade Center when the terrorist attacks of the World Trade Center occurred.

4. When the first plane hit, I was working in the hotel's Greenhouse Café, which featured a glass ceiling through which both towers were visible. Feeling the impact, I looked up, witnessed the explosion and what I believe was a wheel from the plane plummeting toward the restaurant.

5. I ran for my life, seeking refuge in a hotel stairwell with many other people. Initially, first responders told us to stay where we were because things were falling outside. Eventually, we exited the building.

6. Upon exiting I saw what appeared to be the wing of an airplane. As I crossed the street, I stopped to help a woman who was on the ground crying and looked like she was about to faint. As I did so, I heard another plane approach the World Trade Center. At that moment, I looked up and witnessed the plane impact the South Tower and the ensuing explosion. Everyone began running. I fell down in the melee and was trampled over, resulting in physical injuries to my back.

7. Thereafter, I proceeded to the West Side Highway. From that vantage point, I witnessed the falling bodies of people throwing themselves from the upper windows of both towers.

8. I subsequently made my way to the Brooklyn Bridge with other evacuees. As I crossed the bridge, I watched the South Tower collapse. I heard the roar of fighter jets and was afraid that the bridge would be targeted. It took me fourteen hours to get to my home in Islip.

9. In the course of my escape, I witnessed atrocities beyond the imagination of the average citizen. The situation could only be compared to a war zone. I was going about my everyday life in a peaceful manner when we were brutally attacked by terrorists and my life was altered forever.

10. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: sprains and strains of both the cervical and lumbar regions of my back. In addition, on October 21, 2001, I was diagnosed with post-traumatic stress disorder (“PTSD”) as a result of my experiences on September 11, 2001.

11. I have sought medical attention for my injuries. Attached as Exhibit B to this declaration are true and correct copy of medical records related to the treatment that I received following the September 11, 2001 terrorist attacks.

12. As a result of the trauma I suffered on September 11, 2001, I was unable to work for approximately three years.

13. To this day, I continue to experience back pain and suffer from PTSD. I suffered, and continue to suffer, severe emotional distress as a result of the above terrorist attacks. I suffered and continue to suffer from anxiety and bouts of depression due to the traumatic events of these terrorist attacks.

14. I previously pursued a claim through the September 11th Victim Compensation Fund specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 9th day of January, 2020.

Islip, New York



Rafael Gudmich

Exhibits Filed Under Seal